

REMARKS

Claims 41 through 44 are currently pending in the application.

This amendment is in response to the Office Action of August 15, 2001.

Claims 41 through 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoseloff (U.S. Patent 6,227,969) in view of Walker et al. (U.S. Patent 6,142,872) or Weiss (U.S. Patent 6,077,162).

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants submit that the claims have been improperly rejected under 35 U.S.C. § 103 using at least one reference which is not prior art to the claimed invention.

Applicants present application clearly claims priority from United States Patent Application serial number 09/106,659, filed June 29, 1998 (hereinafter referred to as "the '659 application").

Applicants submit that the presently claimed invention as set forth in claims 41 through 44 is clearly supported by the specification of the '659 application.

Applicants submit that currently pending claims 41 through 44 were rejected under 35 U.S.C. § 103 based upon the Yoseloff reference as a primary reference asserted to teach or suggest a gaming system in which there is a primary game and a secondary game, wherein a multiplier is associated with the payout of the game.

Applicants note that the filing date of the Yoseloff reference is September 21, 1998, a date after the effective filing date of the claimed invention in the present application of June 29, 1998. Therefore, the Yoseloff reference is not prior art to the presently claimed invention. Accordingly, Applicants submit that claims 41 through 44 are improperly rejected under 35 U.S.C. § 103 as the rejection is based upon at least one reference, the Yoseloff reference, which is clearly not prior art to the claimed invention.

Accordingly, Applicants request the rejection be withdrawn, the allowance of claims 41 through 44, and the case passed for issue.

Respectfully submitted,



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